



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

DEC 28 2000

OFFICE OF
THE REGIONAL ADMINISTRATOR

Mr. James Johnson
Chief of Planning and Policy Division
U.S. Army Corps of Engineers
441 G Street, NW
Washington, DC 20314-1000

Dear Mr. Johnson:

RE: Review of the Western Sarpy/Clear Creek Flood Reduction Study and Final Environmental Impact Statement in Sarpy and Saunders County, Nebraska

The Environmental Protection Agency has reviewed the Western Sarpy/Clear Creek Flood Reduction Study and Final Environmental Impact Statement (FEIS). Our review is provided pursuant to the National Environmental Policy Act (NEPA) 42 U.S.C. 4231, Council on Environmental Quality (CEQ) regulations 40 C.F.R. Parts 1500-1508, and Section 309 of the Clean Air Act (CAA). The DEIS was assigned the Council on Environmental Quality (CEQ) number 000403.

We have reviewed the information presented in the FEIS in regard to the environmental objections EPA had with the August 2000 Draft Environmental Impact Statement (DEIS). In our October 25, 2000 rating letter, we assigned the DEIS a rating of "EO-2" (Environmental Objections - Insufficient Information). In the review of this FEIS, EPA finds that two significant issues remain which are not adequately addressed: 1) project need and alternatives; and 2) economic analysis.

EPA believes the FEIS still fails to establish the need for this project. The FEIS states that ice-affected flooding is the major cause of flood induced damages in the project area, however, the project has not been designed to address this specific need, nor will the recommended plan be capable of preventing flood damages caused by ice-affected flows (as stated by the Corps in the FEIS). The project sponsor, nevertheless, expects relief from ice-affected flooding conditions based on implementation of the recommended plan. Corps NEPA documents seem to be de-synchronous with sponsor expectations.

Given the disparity in expectations and solutions, the FEIS does not rigorously explore and objectively evaluate all reasonable alternatives, nor does it sufficiently analyze those alternatives that are not within the jurisdiction of the Corps (40 CFR 1502.14). For example, it appears that buying-out structures in the floodplain, raising building heights above the 100-year

flood level, detection and management of ice-jamming conditions, and other non-structural alternatives that provide indefinite long-term solutions, are not given equal consideration compared to the marginal benefits of the preferred alternative presented in the FEIS.

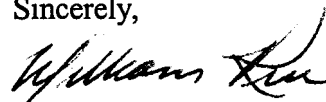
These unevaluated alternatives should be given additional consideration because of the significant adverse environmental impacts which will occur to the Platte River if the recommended structural alternative is implemented. These potential strategies could further satisfy the projects' Purpose and Need more clearly and would be less likely to promote additional levee raises in the future, thereby, reducing cumulative impacts in the region while also protecting Endangered Species habitat.

EPA also finds the economic analysis of this project inconsistent and unclear. There appears to be no justification given for the significant change of values used in the economic feasibility analysis of the levee project plans and the non-structural plan, and the variability of project costs and benefits from the DEIS to the FEIS. For example, the annual benefits of the non-structural plan appear to be unaccountably low, and its costs high. Likewise, certain cost and benefit categories appear inconsistent when compared to those of the structural plans.

As proposed, this project would adversely affect and reduce Endangered Species habitat, ignore floodplain values, increase wetland loss, and significantly increase adverse cumulative effects, (such as rising river stages and induced flooding), throughout the region. Considering these significant adverse impacts of the proposed alternative, it is apparent that substantial reasons do exist to recommend an alternative other than the NED plan, as allowed by the Corps' own guidance. EPA encourages the Corps of Engineers to reevaluate the range of non-structural alternatives that are available to provide flood damage reduction which are in keeping with the intent of Executive Order 11988 - Floodplain Management and which would assist in preserving this important reach of the Platte River.

In conclusion, EPA wishes to express its continuing objections to this project and urges the Corps to reconsider its recommended action. While EPA supports reducing flooding damages to residents and businesses in flood-prone areas, we also believe that approaches other than large levees exist which can satisfy long-term goals and best serve in the interest of the nation. If you have any questions regarding this letter, please contact Royce B. Kemp at (913)551-7551.

Sincerely,


for Dennis Grams, P.E.
Regional Administrator

cc Colonel Mark Tillotson, USACE - Omaha District
Nelson Carpenter, USACE - Omaha District
Steve Anshutz, USFWS
Mike Linder, NDEQ